

# Delaware Helps Block Trump Actions in Women's Health Care, Census Cases

One federal judge declares census citizenship question unlawful; two judges issue injunctions on rules limiting access to contraception

This week, federal judges announced actions in three significant cases where the Delaware Attorney General joined to ensure protections for millions of Americans.

On Sunday, a federal judge in the U.S. District Court for the Northern District of California issued a preliminary injunction preventing implementation of the Trump administration's new rules creating a religious exemption and a moral exemption to the contraceptive mandate contained within the Affordable Care Act in Delaware and the other plaintiff States. The rules would have allowed any employer to deny workers' birth control coverage based on religious or moral objections of the employer. On Monday, a federal judge for the U.S. District Court for Eastern District of Pennsylvania issued a nationwide injunction on the same rules. Delaware had joined an amicus brief supporting the position of Pennsylvania and New Jersey in that case that the rules violate federal law. The lawsuit in California and the amicus brief in Pennsylvania were filed under the leadership of former Attorney General Matt Denn and Attorney General Kathy Jennings has vowed to continue the fight against this administration's attempts to roll back health care protections for women. With the preliminary injunctions against the rules in place, the cases will continue in federal court.

The Women's Law Center estimated that nearly 63 million women receive insurance coverage for FDA-approved birth control

without out of-pocket costs due to the provision in the Affordable Care Act that the Trump administration rule would undo.

“This ruling is a victory for both the health and economic benefit of women in Delaware and across the country,” Attorney General Kathy Jennings said. “Contraception is health care and as your Attorney General I will always fight to protect your health care.”

The injunctions can be found here:

<https://oag.ca.gov/system/files/attachments/press-docs/pi-order.pdf>

<https://www.attorneygeneral.gov/wp-content/uploads/2019/01/2019-01-14-Opinion.pdf>

On Tuesday, the U.S. District Court for the Southern District of New York issued a ruling stating that the Trump administration’s demand of including citizenship information in the 2020 decennial census to be unlawful. Delaware joined a collation of 17 other Attorneys General, six mayors, and the bipartisan U.S. Conference of Mayors in arguing that demanding citizenship information would depress census turnout, which would directly threaten states’ fair representation in Congress as well as the billions of dollars in funding that are tied to a State’s population.

The federal judge vacated the U.S. Commerce Secretary’s decision to add a citizenship question to the 2020 census, calling it “unlawful for a multitude of independent reasons.”

Under the U.S. Constitution, the Census Bureau has an obligation to determine “the whole number of persons in each state.” According to the Census Bureau, there are 132 federal programs that allocate a total of \$675 billion per year based on the census data.

“Adding this question to the 2020 census would prevent communities in Delaware and all over the country from

receiving the representation and the resources they deserve,” Attorney General Jennings said.

The census question decision can be found [here](#):